

Remarks

In the foregoing amendment, claims 6-10 are amended. Now pending in the application are claims 1-15, of which claims 1-5 and 11-15 are withdrawn from further consideration. Claim 6 is independent and claims 7-10 depend from claim 6.

Claim Amendments

Claims 6-10 are amended to clarify the scope of the claimed invention. In particular, the terms “is adapted to operate” “is adapted to control” and “is adapted to restrain” are changed to “operates” “controls” and “restrains”, respectively. No new matter is added.

Rejection of Claims 6-10 under 35 U.S.C. §103(a)

Claims 6-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,916,563 (“Yamamoto”). Applicants respectfully traverse the rejection for the following reasons.

Applicants note that the cited Yamamoto reference has a U.S. filing date of October 23, 2002 and an issue date of July 12, 2005 while the present application has a U.S. filing date of July 16, 2003. The Yamamoto reference therefore qualifies as prior art under 35 U.S.C. §102(e).

Applicants also note that the present application and the Yamamoto reference are assigned to the same assignee. Applicants submit that the claimed invention of the present application and the subject matter described in the Yamamoto reference were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person. In light of this, the Yamamoto reference does not preclude the patentability of the present application under 35 U.S.C. §103(a). 35 U.S.C. §103(c). Applicants therefore request that the Examiner reconsider and withdraw the rejection of claims 6-10 under 35 U.S.C. §103(a), and pass the claims to allowance.

Information Disclosure Statement

Applicants submit Information Disclosure Statement for the Examiner’s consideration.

Conclusion

In view of the above, Applicant submits that the present application is in condition for allowance.

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Respectfully submitted,

By 

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